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7 IN THE UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 CHARLES and L. ANN BUTLER,
11 husband and wife, and the marital
12 community composed thereof,

13 Plaintiffs,

14 v.

15 GREAT AMERICAN RV, INC., a
16 Washington corporation; and AMERICAN
17 STATES INSURANCE COMPANY, a
18 surety company; and GE MONEY BANK
19 aka GENERAL ELECTRIC COMPANY;
20 and AMERICAN GUARDIAN
21 WARRANTY SERVICES, an Illinois
22 corporation

23 Defendants.

No. 3:09-CV-05516 FDB

**ORDER GRANTING DEFENDANT
GE MONEY BANK'S MOTION
FOR PARTIAL SUMMARY
JUDGMENT**

24 This matter comes before this Court on a motion brought by Defendant, GE
25 MONEY BANK, requesting an order pursuant to FRCP 56(d)(2) and RCW 7.64.020
26 ordering Defendant, GREAT AMERICAN RV, INC., to immediately turn over
possession of a 2005 Monaco 40PDQ recreational vehicle to an authorized representative
of Defendant, GE MONEY BANK.

The Court, having considered Defendant's GE Money Bank's motion for partial
summary judgment, the Plaintiff having not responded and Defendant GREAT
AMERICAN RV, INC having no objection, finds that GE MONEY BANK is entitled to

1 its requested relief.

2 ACCORDINGLY;

3 IT IS ORDERED:

4 Defendant GE Money Bank's motion for partial summary judgment is hereby

5 **GRANTED** as follows:

6 1. Plaintiffs are in breach of the Retail Installment Contract and Security
7 Agreement ("Agreement") dated May 21, 2005 which covered a 2005 Monaco 40PDQ
8 recreational vehicle, VIN number 1RF43564352035135.

9 2. Defendant, GE MONEY BANK, has met all of the prerequisites set out in
10 RCW 7.64.020.

11 3. Defendant, GREAT AMERICAN RV, INC., shall consequently turn over
12 possession of the 2005 Monaco 40PDQ recreational vehicle, VIN number
13 1RF43564352035135, to an authorized representative of defendant, GE MONEY BANK,
14 within seven (7) days from the date of this Order.

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16 Dated this 9th day of November, 2009.

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20 FRANKLIN D. BURGESS
21 UNITED STATES DISTRICT JUDGE
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